

COPIED

59

UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF NEW YORK

TRANSPORT WORKERS, et al.

v.

N.Y.C. TRANSIT AUTHORITY, et al.

DOCUMENT #

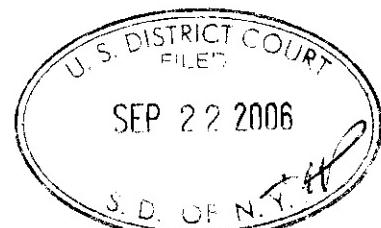
Date: September 22, 2006

U.S.C.A.# 06-3016-cv

U.S.D.C.# 02-CV-7659

D.C. JUDGE: SHIRA A. SCHEINDLIN

INDEX TO THE RECORD ON APPEAL



Prepared by (Name) Pablo Rolon

Firms Name: Counsel Press LLC

c/o Gladstein, Reif & Meginniss

Firms Address: 520 Eighth Avenue, 8th Floor
New York, New York 10018

Firms Phone Number: 212-685-9800

SEE ATTACHED LIST, ALL CIRCLED DOCUMENTS ARE INCLUDED.

(xxx) Original Record

() Supplemental Record

The record in the above-entitled case was indexed to the U.S.C.A. for the Second Circuit on the 22nd day of September, 2006.

UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF NEW YORK

TRANSPORT WORKERS, et al.

v.

N.Y.C. TRANSIT AUTHORITY, et al.

Date: September 22, 2006

U.S.C.A.# 06-3016-cv

U.S.D.C.# 02-CV-7659

D.C. JUDGE: SHIRA A. SCHEINDLIN

Clerk's Certificate

I, J. Michael McMahon, Clerk of the Court of the United States District Court for the Southern District of New York, do hereby certify that the certified copy of the docket entries and the original filed papers numbered 1 through 58, inclusive, constitutes the original record on appeal in the above-entitled proceedings except for the following missing documents:

<u>Date Filed</u>	<u>Document Description</u>

In Testimony Whereof, I have caused the seal of said Court to be hereunto affixed, at the City of New York, this 22nd Day of September In this year of our Lord, Two Thousand and Six, and the Independence of the United States this 231st year.

J. Michael McMahon

By _____
Deputy Clerk

APPEAL, SUSPENSE

U.S. District Court
Southern District of New York (Foley Square - Suspense)
CIVIL DOCKET FOR CASE #: 2:02-cv-07659-SAS

Transport Workers, et al v. N.Y.C. Transit Auth., et al
Assigned to: Judge Shira A. Scheindlin
Demand: \$0
Cause: 28:1331 Fed. Question: Employment Discrimination

Date Filed: 09/23/2002
Jury Demand: None
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: Federal Question

Date Filed	#	Docket Text
09/23/2002	1	COMPLAINT filed. Summons issued and Notice pursuant to 28 U.S.C. 636(c). FILING FEE \$ 150.00 RECEIPT # 541107. (rmo) (Entered: 09/26/2002)
09/23/2002		Magistrate Judge James C. Francis is so designated. (rmo) (Entered: 09/26/2002)
09/25/2002	2	RETURN OF SERVICE of summons and complaint executed as to N.Y.C. Transit Auth. by personal service on 9/23/02. Answer due on 10/15/02 for N.Y.C. Transit Auth. (kw) (Entered: 10/03/2002)
10/03/2002	3	AMENDED COMPLAINT by Transport Workers, AFL-CIO (Answer due 10/15/02 for Manhattan and Bronx, for N.Y.C. Transit Auth. amending [1-1] complaint; Summons issued. (jco) (Entered: 10/10/2002)
10/31/2002	5	ANSWER by N.Y.C. Transit Auth., Manhattan and Bronx to [3-1] amended complaint. (Attorney Michele Leigh Sheridan) (sac) (Entered: 11/07/2002)
11/01/2002	4	STIPULATION; reset answer to the Amended Complaint due for 10/30/02 for Manhattan and Bronx, for N.Y.C. Transit Auth. (signed Judge Shira A. Scheindlin) (sac) (Entered: 11/04/2002)
12/02/2002		PRETRIAL CONFERENCE held before Judge Shira A. Scheindlin on 12/2/02. (db) (Entered: 12/11/2002)
12/04/2002	6	SCHEDULING ORDER: Discovery cutoff 4/25/03; Deadline for filing of any parties summary judgment motions 6/27/03; Pretrial order to be submitted on or before 8/1/03; Pretrial conference set for 4:30 3/12/03 (signed by Judge Shira A. Scheindlin) (cd) (Entered: 12/09/2002)
12/04/2002		Deadline(s) updated: Deposition to be completed by 3/21/03 . (kg) (Entered: 12/10/2002)
03/12/2003		PRETRIAL CONFERENCE held before Judge Shira A. Scheindlin . (djc) (Entered: 03/18/2003)
03/25/2003		PRETRIAL CONFERENCE held on 3/25/03 before Judge Shira A. Scheindlin. (ph) (Entered: 03/27/2003)
03/27/2003	7	CONSENT TO amendment of complaint by N.Y.C. Transit Auth., Manhattan and Bronx. (jco) (Entered: 03/31/2003)
03/27/2003	8	SECOND AMENDED COMPLAINT by Transport Workers (Answer due 4/7/03 for Manhattan and Bronx, for N.Y.C. Transit Auth.) amending [3-1] amended complaint against Roger Toussaint, Transport Union, Sonny Hall, Amalgamated Transit, Angelo Tanzi. Summons issued. (jco) (Entered: 03/31/2003)
04/08/2003	9	SCHEDULING ORDER: Discovery to be completed 6/24/03; Pretrial conference pursuant to FRCP 16(d) at 4:30 p.m. on 7/16/03; depositions to be completed by 5/20/03; expert reports by 5/13/03; any rebuttal reports by 6/10/03; any expert depositions by 6/24/03; each party will write to Chambers to explain the grounds for its motion for summary judgment or to dismiss under Rule 12, FRCP, or to explain why such motion should be delayed pending the outcome of Fountain v. New York State Dep't of Correctional Servs by 7/9/03 , schedule for the production of documents: document requests by 1/10/03; response by 2/10/03; any follow-up requests by 4/25/03; any response by 5/26/03 , prepromotion conference for 7/16/03 at 4:30 p.m. (signed by Judge Shira A. Scheindlin); (yv) (Entered: 04/11/2003)

04/17/2003	(10) ANSWER by N.Y.C. Transit Auth., Manhattan and Bronx to [8-1] second amended complaint . (Attorney Richard Schoolman, Michele Leigh Sheridan from the Firm: Office of the General Counsel). (djc) (Entered: 04/21/2003)
05/28/2003	(11) STIPULATION and ORDER, that shall govern the procedures to be followed in the handling of confidential materials . (signed by Judge Shira A. Scheindlin) (dle) (Entered: 05/30/2003)
07/16/2003	PRETRIAL CONFERENCE held before Judge Shira A. Scheindlin . (db) (Entered: 07/18/2003)
08/28/2003	(14) NOTICE OF MOTION (filed on the service date) by N.Y.C. Transit Auth., Manhattan and Bronx for an order dismissing that complaint, with prejudice, purs. to Rules 12(b)(6), 12(c) and 12(h) . No Return Date. (sb) (Entered: 10/06/2003)
09/24/2003	(12) MEMORANDUM OF LAW by Transport Workers, Roger Toussaint, Angelo Tanzi in opposition to defendants' motion to dismiss . (sb) (Entered: 09/26/2003)
09/24/2003	(13) DECLARATION of Walter M. Meginniss by Transport Workers, AFL-CIO, AFL-CIO, Roger Toussaint, Angelo Tanzi in opposition to defendants' motion to dismiss. (sb) (Entered: 09/26/2003)
10/02/2003	(15) MEMORANDUM OF LAW by N.Y.C. Transit Auth., Manhattan and Bronx in support of [14-1] motion for an order dismissing that complaint, with prejudice, purs. to Rules 12(b)(6), 12(c) and 12(h). (sb) (Entered: 10/06/2003)
10/02/2003	(16) DECLARATION of Richard Schoolman by N.Y.C. Transit Auth., Manhattan and Bronx. (sb) (Entered: 10/06/2003)
10/02/2003	(17) REPLY MEMORANDUM by N.Y.C. Transit Auth., Manhattan and Bronx in further support of [14-1] motion for an order dismissing that complaint, with prejudice, purs. to Rules 12(b)(6), 12(c) and 12(h). (sb) (Entered: 10/06/2003)
10/02/2003	(18) REPLY DECLARATION of Richard Schoolman by N.Y.C. Transit Auth., Manhattan and Bronx in further support of [14-1] motion for an order dismissing that complaint, with prejudice, purs. to Rules 12(b)(6), 12(c) and 12(h). (sb) (Entered: 10/06/2003)
10/20/2003	PRETRIAL CONFERENCE held on 10/20/03 before Judge Shira A. Scheindlin. (ph) (Entered: 11/04/2003)
10/22/2003	(19) ORDER, plaintiffs are granted leave to file the third amended complaint; the clerk shall accept the third amended complaint for filing and shall docket the pleading accordingly , dfts shall be permittid to move to dismiss the new cause of action, dfts' motion to dismiss shall be served on or before 11/7/03; plaintiff answering papers shall be served on or before 11/14/03 and dfts' reply papers shall be served on or before 11/21/03 . (signed by Judge Shira A. Scheindlin); (dle) (Entered: 10/24/2003)
10/22/2003	(20) THIRD AMENDED COMPLAINT by Transport Workers, AFL-CIO, AFL-CIO, Roger Toussaint, Transport Union, Sonny Hall, Amalgamated Transit, Angelo Tanzi (Answer due 11/3/03 for Manhattan and Bronx, for N.Y.C. Transit Auth.) amending [1-1] complaint ; Summons issued. (dle) (Entered: 10/28/2003)
11/21/2003	(21) MOTION (FILED ON SERVICE DATE) to Dismiss plntfs' claims under Title I and that the Court lacks jurisdiction to entertain those clams. Document filed by Manhattan and Bronx Surface Transit Operating Authority (M.A.B.S.T.O.A.), New York City Transit Authority. Return date not indicated. Responses due by 11/14/2003 (cd,) (Entered: 12/02/2003)
11/21/2003	(22) AFFIDAVIT of Richard Schoolman in Support re: [21] MOTION (FILED ON SERVICE DATE) to Dismiss.. Document filed by Manhattan and Bronx Surface Transit Operating Authority (M.A.B.S.T.O.A.), New York City Transit Authority. (cd,) (Entered: 12/02/2003)
11/21/2003	(23) MEMORANDUM OF LAW in Support re: [21] MOTION (FILED ON SERVICE DATE) to Dismiss.. Document filed by Manhattan and Bronx Surface Transit Operating Authority (M.A.B.S.T.O.A.), New York City Transit Authority. (cd,) (Entered: 12/02/2003)
11/21/2003	(24) MEMORANDUM OF LAW in Opposition re: [21] MOTION (FILED ON SERVICE DATE) to Dismiss.. Document filed by AFL-CIO, AFL-CIO and Amalgamated Transit Union, Local 726, Amalgamated Transit Union, Sonny Hall, Angelo Tanzi, Roger Toussaint, Transport Workers Union Local 100, Transport Workers Union of America, AFL-CIO. (cd,) (Entered: 12/02/2003)

11/21/2003	25	DECLARATION of Julio Rivera in Opposition re: [21] MOTION (FILED ON SERVICE DATE) to Dismiss.. Document filed by AFL-CIO, AFL-CIO and Amalgamated Transit Union, Local 726, Amalgamated Transit Union, Sonny Hall, Angelo Tanzi, Roger Toussaint, Transport Workers Union Local 100, Transport Workers Union of America, AFL-CIO. (cd,) (Entered: 12/02/2003)
11/21/2003	26	DECLARATION of Walter Meginniss in Opposition re: [21] MOTION (FILED ON SERVICE DATE) to Dismiss.. Document filed by AFL-CIO, AFL-CIO and Amalgamated Transit Union, Local 726, Amalgamated Transit Union, Sonny Hall, Angelo Tanzi, Roger Toussaint, Transport Workers Union Local 100, Transport Workers Union of America, AFL-CIO. (cd,) (Entered: 12/02/2003)
11/21/2003	27	REPLY MEMORANDUM OF LAW in Support re: [21] MOTION (FILED ON SERVICE DATE) to Dismiss.. Document filed by Manhattan and Bronx Surface Transit Operating Authority (M.A.B.S.T.O.A.), New York City Transit Authority. (cd,) (Entered: 12/02/2003)
11/21/2003	28	REPLY DECLARATION of Richard Schoolman in Support re: [21] MOTION (FILED ON SERVICE DATE) to Dismiss.. Document filed by Manhattan and Bronx Surface Transit Operating Authority (M.A.B.S.T.O.A.), New York City Transit Authority. (cd,) (Entered: 12/02/2003)
12/16/2003	29	TRANSCRIPT of proceedings held on October 20, 2003, 2:45 p.m. before Judge Shira A. Scheindlin.(dt,) (Entered: 12/16/2003)
04/13/2004	30	MEMORANDUM AND OPINION # 89957 For the reasons set forth in this opinion the Authority's motions to dismiss are denied. The Unions have stated viable claims for employment discrimination under both Titles I and II of the ADA. The clerk is directed to close these motions. A conference is scheduled for 4/30/04 at 4:30 p.m. in courtroom 15C. (Signed by Judge Shira A. Scheindlin on 4/12/04) (dle,) (Entered: 04/16/2004)
05/03/2004		Minute Entry for proceedings held before Judge Shira A. Scheindlin : Interim Pretrial Conference held on 5/3/2004. (dle,) (Entered: 05/04/2004)
06/23/2004	31	ANSWER to Third Amended Complaint. Document filed by Manhattan and Bronx Surface Transit Operating Authority (M.A.B.S.T.O.A.), New York City Transit Authority. Related document: [20] Amended Complaint, filed by AFL-CIO, Sonny Hall, Transport Workers Union Local 100, Amalgamated Transit Union, Transport Workers Union of America, AFL-CIO, Roger Toussaint, AFL-CIO and Amalgamated Transit Union, Local 726, Angelo Tanzi.(tp,) (Entered: 06/24/2004)
08/09/2004	32	AMENDED ANSWER to Amended Complaint. Document filed by Manhattan and Bronx Surface Transit Operating Authority (M.A.B.S.T.O.A.), New York City Transit Authority. w/attached Plaintiffs' Consent to Amendment of Answer to the Third Amended Complaint.(rag,) (Entered: 08/10/2004)
08/31/2004	33	TRIAL MEMORANDUM of LAW. Document filed by Manhattan and Bronx Surface Transit Operating Authority (M.A.B.S.T.O.A.), New York City Transit Authority.(djc,) (Entered: 09/01/2004)
08/31/2004	34	Proposed Findings of Fact and Conclusions of Law. Document filed by Manhattan and Bronx Surface Transit Operating Authority (M.A.B.S.T.O.A.), New York City Transit Authority.(djc,) (Entered: 09/01/2004)
08/31/2004	35	TRIAL MEMORANDUM. Document filed by AFL-CIO, AFL-CIO and Amalgamated Transit Union, Local 726, Amalgamated Transit Union, Sonny Hall, Angelo Tanzi, Roger Toussaint, Transport Workers Union Local 100, Transport Workers Union of America, AFL-CIO.(db,) (Entered: 09/10/2004)
08/31/2004	36	Proposed Findings of Fact and Conclusions of Law. Document filed by AFL-CIO, AFL-CIO and Amalgamated Transit Union, Local 726, Amalgamated Transit Union, Sonny Hall, Angelo Tanzi, Roger Toussaint, Transport Workers Union Local 100, Transport Workers Union of America, AFL-CIO.(db,) (Entered: 09/10/2004)
09/07/2004		Minute Entry for proceedings held before Judge Shira A. Scheindlin : Jury Trial begun on 9/7/2004. (djc,) (Entered: 09/17/2004)
09/08/2004		Minute Entry for proceedings held before Judge Shira A. Scheindlin : Jury Trial held on 9/8/2004. (djc,) (Entered: 09/17/2004)

09/09/2004	Minute Entry for proceedings held before Judge Shira A. Scheindlin : Jury Trial held on 9/9/2004. (djc,) (Entered: 09/17/2004)
09/10/2004	Minute Entry for proceedings held before Judge Shira A. Scheindlin : Jury Trial held on 9/10/2004. (djc,) (Entered: 09/17/2004)
09/13/2004	Minute Entry for proceedings held before Judge Shira A. Scheindlin : Jury Trial held on 9/13/2004. (djc,) (Entered: 09/17/2004)
09/14/2004	Minute Entry for proceedings held before Judge Shira A. Scheindlin : Jury Trial completed on 9/14/2004. (djc,) (Entered: 09/17/2004)
09/22/2004	(37) TRANSCRIPT of proceedings held on 9/7,8,9,10,13,14/04 before Judge Shira A. Scheindlin.(pa,) (Entered: 09/22/2004)
09/22/2004	(38) STIPULATION AND ORDER; that the record of the trial in this action shall be amended to include as plaintiffs' exhibit 57 the attached excerpts of the transcript of the depositions of Paul Marcus Hutchins, which were read at trial on 9/7/04 (see trial transcript at 97-98). (Signed by Judge Shira A. Scheindlin on 9/20/04) (pl,) (Entered: 09/24/2004)
09/27/2004	(39) POST TRIAL Proposed Findings of Fact and Conclusions of Law. Document filed by AFL-CIO, AFL-CIO and Amalgamated Transit Union, Local 726, Amalgamated Transit Union, Sonny Hall, Angelo Tanzi, Roger Toussaint, Transport Workers Union Local 100, Transport Workers Union of America, AFL-CIO.(djc,) (Entered: 09/28/2004)
10/12/2004	(40) MEMORANDUM AND OPINION # 90757. The plaintiff unions seek a declaratory judgment that the Transit Authority's policies and practices relating to employee sick leave ("the Policy") violate the prohibited medical inquiries and examinations provision of the ADA, and request an injunction prohibiting the Policy's enforcement. The Transit Authority advances two justifications for the Policy: first, curbing sick leave abuse, and second, maintaining workplace and public safety. Although I recognize the importance of the public interests behind the Policy, I am bound to follow Conroy. Applying Conroy's analysis, I find that the first justification is sufficient to support the inquiries only with respect to those employees with egregiously poor attendance records, and the second is sufficient only with respect to employees with safety-sensitive jobs. Further factual development will be required to determine which employees are performing such safety-sensitive duties...Because it is not yet clear which groups may pose safety risks, the Policy may continue to be enforced until such time as that issue is determined. (Signed by Judge Shira A. Scheindlin on 10/12/04) (rag,) (Entered: 10/13/2004)
10/26/2004	(41) MOTION (FILED ON SERVICE DATE) for Reconsideration or reargument of portions of the order of 10/12/04. Document filed by Manhattan and Bronx Surface Transit Operating Authority (M.A.B.S.T.O.A.), New York City Transit Authority. (kw,) (Entered: 10/27/2004)
10/26/2004	(42) MEMORANDUM OF LAW in Support re: [41] MOTION (FILED ON SERVICE DATE) for Reconsideration. Document filed by Manhattan and Bronx Surface Transit Operating Authority (M.A.B.S.T.O.A.), New York City Transit Authority. (kw,) (Entered: 10/27/2004)
11/03/2004	(43) OPINION AND ORDER # 90853. The Authority's motion for reconsideration is denied. The Clerk is directed to close this motion [41 on the docket sheet]. (Signed by Judge Shira A. Scheindlin on 11/3/2004) (jsa,) (Entered: 11/04/2004)
11/23/2004	(44) MEMORANDUM OF LAW in Opposition re: [41] MOTION (FILED ON SERVICE DATE) for Reconsideration.. Document filed by AFL-CIO, AFL-CIO and Amalgamated Transit Union, Local 726, Amalgamated Transit Union, Sonny Hall, Angelo Tanzi, Roger Toussaint, Transport Workers Union Local 100, Transport Workers Union of America, AFL-CIO. (djc,) (Entered: 11/30/2004)
12/30/2004	(45) MOTION (FILED ON SERVICE DATE) for an order, under 28 USC 1292(b) certifying that two portions of the court's order dated 10/12/04 and a portion of the court's prior order dated 4/12/04. Document filed by New York City Transit Authority, Manhattan and Bronx Surface Transit Operating Authority (M.A.B.S.T.O.A.). (dle,) (Entered: 01/10/2005)
01/04/2005	(46) MEMORANDUM OF LAW in Support re: [45] MOTION (FILED ON SERVICE DATE).. Document filed by New York City Transit Authority, Manhattan and Bronx Surface Transit Operating Authority (M.A.B.S.T.O.A.). (dle,) (Entered: 01/10/2005)

01/31/2005	(47) MEMORANDUM OF LAW in Response to Plaintiffs' Cross-Motion for Leave to Appeal or in the alternative, for Judgment. Document filed by New York City Transit Authority, Manhattan and Bronx Surface Transit Operating Authority (M.A.B.S.T.O.A.). (ps,) (Entered: 02/05/2005)
02/04/2005	(49) CROSS MOTION (FILED ON SERVICE DATE) for Leave to Appeal Document filed by Angelo Tanzi, Transport Workers Union Local 100, AFL-CIO and Amalgamated Transit Union, Local 726, Roger Toussaint. (fk,) Modified on 2/11/2005 (fk,). (Entered: 02/11/2005)
02/04/2005	(50) MEMORANDUM OF LAW in Support re: [49] CROSS MOTION (FILED ON SERVICE DATE) for Leave to Appeal. Document filed by Angelo Tanzi, Transport Workers Union Local 100, AFL-CIO and Amalgamated Transit Union, Local 726, Roger Toussaint. (fk,) Modified on 2/11/2005 (fk,). (Entered: 02/11/2005)
02/04/2005	(51) REPLY MEMORANDUM OF LAW in Support re: [49] CROSS MOTION (FILED ON SERVICE DATE) for Leave to Appeal. Document filed by Angelo Tanzi, Transport Workers Union Local 100, AFL-CIO and Amalgamated Transit Union, Local 726, Roger Toussaint. (fk,) (Entered: 02/11/2005)
02/05/2005	(48) TRANSCRIPT of proceedings held on 12/21/04 before Judge Shira A. Scheindlin. (kj,) (Entered: 02/05/2005)
02/28/2005	(52) MEMORANDUM AND OPINION #91290; for the reasons set forth on this Opinion, the Court certifies an interlocutory appeal from the 10/12 Order purs. to 28 USC 1292(b). The Clerk of the Court is directed to close the motions (45,49). The Unions may renew their motion for entry of judgment purs. to Rule 54(b) in the event that the Court of Appeals declines to accept the interlocutory appeal. (Signed by Judge Shira A. Scheindlin on 2/25/2005) (jp,) (Entered: 03/02/2005)
09/29/2005	(53) SUSPENSE ORDER: It is hereby ordered that the Clerk of the Court place this case on the suspense docket. The parties are directed to inform Chambers of any decision by the Court of Appeals regarding the interlocutory appeal certified in February 2005. (Signed by Judge Shira A. Scheindlin on 9/28/2005) (lb,) (Entered: 09/30/2005)
03/10/2006	(54) ORDER of USCA (Certified Copy) USCA Case Number 05-8005-mv. Petitioners move, pursuant to 28 U.S.C. 1292(b), for interlocutory appeal of a district court order. Because they have not demonstrated exceptional circumstances "justify[ing] a departure from the basic policy of postponing appellate review until after the entry of a final judgment," it is ORDERED that the petition is DENIED and appeal is DISMISSED. See <i>In re Flor</i> , 79 F.3d 281, 284 (2d Cir. 1995). Roseann B. MacKechnie, Clerk USCA. Issued As Order: 05-8005-mv. (nd,) (Entered: 03/13/2006)
03/31/2006	(55) MANDATE of USCA (Certified Copy) USCA Case Number 05-8005-MV. Petitioners move, pursuant to 28 U.S.C. 1292(b), for interlocutory appeal of a district court order. Because they have not demonstrated exceptional circumstances "justify[ing] a departure from the basic policy of postponing appellate review until after the entry of a final judgment," it is ORDERED that the petition is DENIED and appeal is DISMISSED. See <i>In re Flor</i> , 79 F.3d 281, 284 (2d Cir. 1995). Roseann B. MacKechnie, Clerk USCA. Certified: 3/29/2006. (nd,) (Entered: 03/31/2006)
03/31/2006	Transmission of USCA Mandate/Order to the District Judge re: [55] USCA Mandate. (nd,) (Entered: 03/31/2006)
05/30/2006	(56) ORDER; the Clerk of the Court is directed to enter judgment pursuant to Rule 54(b), F.R.C.P., dismissing plaintiffs' claim as to all of defendants' employees in the title of Bus Operator in accordance with this order and for the reasons set forth herein. (Signed by Judge Shira A. Scheindlin on 5/26/06) (kco,) (Entered: 05/30/2006)
06/12/2006	(57) CLERK'S JUDGMENT That for the reasons stated in the Court's Order dated May 26, 2006, that there is no just reason for delay, pursuant to Fed. R. Civ. P. 54(b), judgment is entered dismissing plaintiffs' claim as to all of defendants' employees in the title of Bus Operator in accordance with the Order dated May 26, 2006.. (Signed by J. Michael McMahon, clerk on 6/12/06) (ml,) (Entered: 06/12/2006)
06/13/2006	Mailed notice of Right to Appeal re: [57] Clerk's Judgment, and to Attorney(s) of Record: Walter Murphree Meginniss, David Rosen, Richard Schoolman, Michele Leigh Sheridan. (lma,) (Entered: 06/13/2006)

06/26/2006	58 NOTICE OF APPEAL from [57] Clerk's Judgment., Document filed by Angelo Tanzi, Transport Workers Union Local 100, AFL-CIO and Amalgamated Transit Union, Local 726, AFL-CIO, Roger Toussaint, Transport Workers Union of America, AFL-CIO, Sonny Hall, Amalgamated Transit Union. Filing fee \$ 455.00, receipt number E 583311. Copies of Notice of Appeal mailed to Attorney(s) of Record: NYC Transportation Authority. (nd,) (Entered: 06/27/2006)
06/27/2006	Transmission of Notice of Appeal to the District Judge re: [58] Notice of Appeal., (nd,) (Entered: 06/27/2006)
06/27/2006	Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: [58] Notice of Appeal., (nd,) (Entered: 06/27/2006)